THE CORPORATION OF THE CITY OF WINDSOR
PLANNING AND DEVELOPMENT SERVICES

Committee of Adjustment

MISSION STATEMENT:

"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."

Author's Name: Conner O'Rourke	**File No.:** A-086/26
Author's Phone: (519) 255-6543 e 6447	**Report Date:** Nov 02, 2026
Author's E-mail: corourke@citywindsor.ca	**Committee Meeting Date:** Nov 12, 2026

To:	Committee of Adjustment
Subject Application:	Relief from the provisions of Zoning By-law 8600
Owner:	Chaitanya Raj Bansal
Applicant:	Reigns 740 Inc.
Location:	2563 MELDRUM RD
Legal Description:	PLAN 1109 LOTS 141 & 142;

1. RECOMMENDATION:

That the Minor Variance application of Chaitanya Raj Bansal for the relief from the provisions of Zoning By-Law 8600 for reduced minimum lot width, reduced minimum lot area, reduced minimum rear yard depth and increased maximum lot coverage for the severed lot on the property municipally known as 2563 Meldrum Road **BE DENIED**.

2. THE REQUESTED VARIANCES:

Requesting relief for reduced minimum lot width, reduced minimum lot area, reduced minimum rear yard depth and increased maximum lot coverage for the severed lot, thereby seeking the following reliefs from Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	10.2.5.1	Minimum Lot Width - Severed Lot	12.0m	10.9m
2	10.2.5.2	Minimum Lot Area - Severed Lot	360.0m²	337.7m²
3	10.2.5.3	Maximum Lot Coverage - Severed Lot	45.0%	47.3%
4	10.2.5.6	Minimum Rear Yard Depth - Severed Lot	7.50m	6.01m

3. PLANNING ANALYSIS:

The subject property, legally described as Plan 1109 Lots 141 & 142; also municipally known as 2563 Meldrum Road currently contains a single unit dwelling with an attached garage. The applicant proposes to demolish the attached garage and sever the property, retaining the portion with the existing single unit dwelling and creating a new lot for the future development of a single unit dwelling with an attached additional dwelling unit (ADU). To allow for this, the applicant is seeking relief from Zoning By-law 8600 for reduced minimum lot width, reduced minimum lot area, increased maximum lot coverage and reduced minimum rear yard depth for the severed lot. A concurrent consent application (B-047/26) has been submitted to facilitate the proposed severance.

The requested consent and minor variances are anticipated to result in an undersized lot that does not preserve the pattern, scale and character of the blockface. The subject property has the potential to be divided into two equal lots without the need for a minor variance. The lots along this portion of Meldrum Road generally comply with the minimum lot width and minimum lot area requirements of the Zoning By-law. If the subject property were divided evenly, the resulting lots would have lot widths and areas that are consistent with those of the surrounding properties, which would more appropriately preserve the established development pattern and blockface that exists along this section of Meldrum Road.

The cumulative impact of creating an undersized lot and granting additional relief to facilitate a larger building footprint is anticipated to result in a form of development that is not compatible with the established character and development pattern of the surrounding neighbourhood. While the proposed severance would create a lot that is smaller than those generally found within this area, the requested variances are expected to intensify the development potential of the site beyond what would typically be considered appropriate on a lot of this size within this area.

PLANNING ACT

Subsection 45(1) of the Planning Act states that the Committee of Adjustment *"may, despite any other Act, authorize minor variance from the provisions of the by-law, in respect of the land building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained."*

PROVINCIAL PLANNING STATEMENT (PPS) 2024

Planning Staff have reviewed the relevant policies of the PPS - "Building Homes, Sustaining Strong and Competitive Communities" (Policy statement 2.2.1.b of the PPS). The requested minor variance is consistent with these policies permitting and facilitating all housing options required to meet the social, health, economic, and well-being requirements of current and future residents.

OFFICIAL PLAN (OP)

The Minor Variance Policies in Section 11.6.6 are hereto attached as **Appendix A**. Section 11.6.6.2 outlines the evaluation criteria for minor variance applications.

The subject land is designated Residential per the Official Plan. The proposed development is permitted and conforms to these associated objectives and policies. Therefore, the requested variances meet the general intent and purpose of the Official Plan per Section 11.6.6.2(a).

The proposed development is permitted and conforms to the zoning by-law provisions, except for the requested variances. Given that two compliant lots can be created in accordance with the provisions of the Zoning By-law, and further that there is evidence within he surrounding area demonstrating that a single unit dwelling can be constructed without requiring increased lot coverage or a reduced rear

yard depth, the requested variances are not considered necessary to facilitate the reasonable development of the subject property. Accordingly, the general intent and purpose of the Zoning By-law is not maintiaed as per Section 11.6.6.2(b).

The proposed development is not reflective of the prevailing lot pattern on this block or within the surrounding neighbourhood. The proposal is expected to have cumulative impacts on the pattern, scale and character of the blockface. Therefore, the requested variances are not considered minor in nature as per Section 1.6.6.2(c).

The requested variances do not exceed a 20 percent variation above the bylaw regulation being varied where the variances would increase the building envelope of a main building containing a dwelling unit, which complies with Section 11.6.6.2(d).

The proposed variances are not desirable for the appropriate use of the land, and are expected to detract from the character of neaby properties and the neighourhood as a whole, thus not complying with Section 11.6.6.2(e).

ZONING BY-LAW

The subject land is zoned Residential District 1.2 (RD1.2) per Zoning By-law 8600. The proposed use is permitted and complies with the applicable provisions with the exception of the variances being requested. As outlined in the Official Plan section of this report, the requested variances are not minor in nature and do not meet the intent of Zoning By-law 8600.

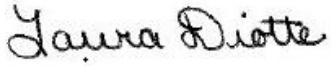
4. PLANNER'S OPINION:

The requested variances are not considered minor in nature and do not maintain the general intent and purpose of the Official Plan and Zoning By-law 8600. Therefore, the variances are not consistent with section 45 (1) of the Planning Act. The Planning Division recommends **DENIAL** of the applicant's request.



Conner O'Rourke
Planner II- Development Review

I concur with the above comments and opinion of the Planner II.



Laura Diotte MCIP, RPP
Manager of Development Applications

APPENDICES:
Appendix "A"- Excerpts from the Official Plan Volume I
Appendix "B" - Comments received by the Secretary Treasurer of the Committee of Adjustment

11.6.6 Minor Variance Policies

COMMITTEE OF ADJUSTMENT 11.6.6.1 Council has appointed a Committee of Adjustment pursuant to the Planning Act to consider applications for minor variance from the Zoning By-law (s) and/or any other by-law that implements the Official Plan.

EVALUATION CRITERIA 11.6.6.2 When reviewing an application for minor variance the Committee of Adjustment shall be satisfied that:

(a) The general intent and purpose of the Official Plan, including the Strategic Directions, Goals and Objectives of the land use designation in which the property is located, is maintained;

(b) The general intent and purpose of the By-law being varied is maintained;

(c) The variance or the number of variances to the By-law are minor in nature, would not more appropriately be considered through an application to amend the Zoning By-law due to the cumulative impacts of the variances, preserves the pattern, scale and character of the blockface;

(d) The variance(s) are generally not more than 20 percent above the By-law regulation being varied where the variances would increase the building envelope of a main building or accessory building containing a dwelling unit. For clarity this includes variances related to lot width; lot area; lot coverage; front, rear, and side yard depth; building height; and maximum gross floor area; and

(e) The variance is desirable for the appropriate use of the land, building or structure and would not hinder the reasonable development and/or use of properties in the neighbourhood, would not cause a detriment, safety concerns, or would not detract from the character or amenity of nearby properties or the neighbourhood. The area of influence or the neighbourhood will vary with the scale of development and associated areas of potential impact.

EXISTING UNDERSIZED LOTS 11.6.6.3 Notwithstanding the provisions of sub-section (d) above, the Committee may give further consideration to variances required to enable appropriate development for existing undersized lots, where existing non-complying structures are being altered or where infilling and intensification is occurring provided that the Committee is satisfied that the provisions of 11.6.6.2 subsections (c) and (e) have been fully addressed.

TERMS & CONDITIONS 11.6.6.4 The Committee of Adjustment may attach such terms and conditions as it deems reasonable and appropriate to the approval of the application for a minor variance. The conditions shall relate directly to the impact of the variance and may include measures required to mitigate the impact of altering the zoning regulations on the resulting built form or property development, including but not limited to: a) Specifying architectural elements such as window location, outdoor amenity space, fencing or other screening and door location; b) Requiring additional landscaping including low impact design elements; c) Providing additional bicycle facilities in lieu of motor vehicle parking; and d) Improvement to grading and stormwater management.

AGREEMENTS 11.6.6.5 The Committee of Adjustment may require the owner of the land to enter into one or more agreements with the Municipality and address the impacts of the variance dealing with some or all of the terms and conditions of its decision. An agreement may be registered against the land to which it applies, and the Municipality is entitled to enforce the agreement against the owner and, subject to the Registry Act and the Land Titles Act, against any and all subsequent owners of the land.

APPENDIX "B"
Comments Received by the Secretary Treasurer of the Committee of Adjustment

Zoning Review

Requested variances from Zoning By-law 8600:

	PROVISION	PROVISION DESCRIPTION	REQUIRED	PROPOSED
1	10.2.5.1	Minimum Lot Width - Severed Lot	12.0m	10.9m
2	10.2.5.2	Minimum Lot Area - Severed Lot	360.0m²	337.7m²
3	10.2.5.3	Maximum Lot Coverage - Severed Lot	45.0%	47.3%
4	10.2.5.6	Minimum Rear Yard Depth - Severed Lot	7.50m	6.01m

[*Stefan Pavlica- Zoning Coordinator*]

Development, Projects & Right-of-Way

This department has no objection to the proposed application. Right of Way permits must be obtained for any work within the Right of Way.

[*Karen Kong – Technologist*]

Heritage Planner

There is no apparent built heritage concern with this property, and it is not located within an Archaeological Potential Zone (APZ). Nevertheless, the Applicant should be notified of the following archaeological precaution.

1. Should archaeological resources be found during grading, construction or soil removal activities, all work in the area must stop immediately and the City's Planning & Development Services Department, the City's Manager of Culture and Events, and the Ontario Ministry of Citizenship and Multiculturalism must be notified and confirm satisfaction of any archaeological requirements before work can recommence.
2. In the event that human remains are encountered during grading, construction or soil removal activities, all work in that area must be stopped immediately and the site secured. The local police or coroner must be contacted to determine whether or not the skeletal remains are human, and whether the remains constitute a part of a crime scene. The Local police or coroner will then notify the Ontario Ministry of Citizenship and Multiculturalism and the Registrar at the Ministry of Government and Consumer Services if needed, and notification and satisfactory confirmation be given by the Ministry of Citizenship and Multiculturalism.

Contacts:
Windsor Planning & Development Services Department:
519-255-6543 x6179, ktang@citywindsor.ca, planningdept@citywindsor.ca
Windsor Manager of Culture and Events (A):
Michelle Staadegaard, (O) 519-253-2300x2726, (C) 519-816-0711, mstaadegaard@citywindsor.ca
Ontario Ministry of Citizenship and Multiculturalism
Archaeology Programs Unit, 1-416-212-8886, Archaeology@ontario.ca
Windsor Police: 911
Ontario Ministry of Public and Business Service Delivery and Procurement
Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures:
Ian Hember, 1-437-244-9840, Ian.hember@ontario.ca

[*Ryan Upton- Heritage Planner*]

Transportation Planner

Transportation planning has no objection.

[*Aashvi Sarvaiya- Transportation Planner*]

Windsor Police Service

The Windsor Police Service has no concerns or objections with any of the applications listed in this agenda. In reviewving them, all were relatively minor in terms of their potential impact to public safety, security, or public disorder. None of the applications to be considered are therefore anticipated to create outcomes that will negatively impact the ability of the Windsor Police Service to provide proper and adequate response to incidents, whether emergency or non-emergency in nature, and other service deliver requirements.

[*Barry Horrobin- Windsor Police Service*]